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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
MITCHELL JENKINS,
Defendant.

Case No. 2:24-cv-00346-JCM-EJY

**Stipulation to Extend Time to File
Reply Brief
(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Sue Fahami, Acting United States Attorney, and Skyler Pearson, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen, Assistant Federal Public Defender, counsel for Mitchell Jenkins, request that the due date for Mr. Jenkins' reply brief, be extended thirty (30) days, to April 23, 2025.

This Stipulation is entered into for the following reasons:

1. This case involves an appeal from a bench trial in which Mr. Jenkins was found guilty of one count of resisting arrest, 43 C.F.R. 8365.1-4(a)(4). In their principal briefs, the parties have disagreed about novel evidentiary issues, the proper interpretation of the regulation, for which there is little governing caselaw, and the sufficiency of the evidence presented at trial.

1 3. Given the relative complexity of this appeal, defense counsel requires
2 additional time to review the government's answering brief, research the issues, and prepare
3 the reply brief.

4 4. Defense counsel is in the midst of preparing for a trial that is set to proceed on
5 April 8, 2025, in *United States v. Fain* (2:24-cr-00189-JAD-DJA). Preparation for that trial
6 has involved significant motions practice and has precluded defense counsel from being able
7 to complete the reply brief in this matter by the current deadline.

8 5. The defendant is out of custody and does not oppose the continuance
9 This is the second request for a continuance filed herein.

10 DATED this 17th day of March 2025.

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12 RENE L. VALLADARES
13 Federal Public Defender

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15 SUE FAHAMI
16 Acting United States Attorney

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18 By /s/ Joy Chen
19 JOY CHEN
20 Assistant Federal Public Defender

21 By /s/ Skyler Pearson
22 SKYLER PEARSON
23 Assistant United States Attorney

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IT IS THEREFORE ORDERED that upon consideration of Defendant's Request to Extend Time to File Reply Brief, that the Defendant's deadline to file his reply brief is extended to April 23, 2025.

DATED March 17, 2025.

James C. Mahan
UNITED STATES DISTRICT JUDGE